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09/930,720	08/15/2001	Senaka Balasuriya	CAS0048	1666

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EXAMINER

PATEL, ASHOKKUMAR B

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 05/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/930,720

Applicant(s)

BALASURIYA, SENAKA

Examiner

Ashok B. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) 1-9 and 29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-28, 30 and 31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-31 are subject to examination. Claims 1-9 and 29 have been cancelled.

***Response to Arguments***

2. Applicant's arguments with respect to claims 10, 17 and 23 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 10-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayashi et al. (hereinafter Hayashi) (US 6,477, 526) in view of EP 0827 126 A2.

**Referring to claim 10,**

Hayashi teaches a method for obtaining information on a route, comprising the steps of:

selecting a starting location;

selecting a destination location (Abstract: "The route calculation server receives starting point data and destination data corresponding to a starting point and a destination which a user designates by the user terminal, and calculates a route from the starting point to the destination."); and

defining a route-identifier, wherein the route-identifier identifies a relationship between the starting location and the destination location. (Abstract: "The route

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calculation server stores calculated route data together with route identification information associated with the route data, and transmits the route identification information to the user terminal via the network.”)

Hayashi teaches in col. 8, line 34-38, “ The route calculation condition is considered in the route calculation processing, and the route calculation program calculates the optimum route to meet the route calculation condition.”, Hayashi fails to specifically teach selecting at least one intermediate location associated with the relationship between the starting location and the destination location.

EP 0827 126 A2 teaches in col. 2, line 50-58, “present invention provides vehicle navigation apparatus for tracking a present position and performing guidance along a route to a predetermined pass-through point and a destination location, feature by making it possible to select whether the guidance up to the pass-through point is necessary or not under the condition that a vehicle position has arrived at a location within a predetermined distance from the pass-through point.”

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to enhance Hayashi’s teaching by adding EP 0827 126 A2’s teachings as part of the route calculation condition such that the route is calculated through a desired intermediate location.

It would have been obvious because EP 0827 126 A2 offers the selection of intermediate location whether the guidance up to the pass-through point is necessary or not under the condition that a vehicle position has arrived at a location within a predetermined distance from the pass-through point.

**Referring to claim 11,**

Hayashi teaches the method of claim 10 wherein the relationship between the starting location and the destination location is a route, the method further comprising: retrieving the route-identifier to identify the route; and receiving information on the route identified by the route-identifier. (Abstract: "The route calculation server stores calculated route data together with route identification information associated with the route data, and transmits the route identification information to the user terminal via the network.")

**Referring to claims 12 and 13,**

Hayashi teaches retrieving the route-identifier to identify the route (Abstract), however, Hayashi fails to specifically teach identifying the intermediate location with an intermediate-identifier, and providing the intermediate-identifier; and requesting information on the route based on the relationship of the intermediate identifier to the route-identifier.

EP 0827 126 A2 teaches in col. 2, line 50-58, "present invention provides vehicle navigation apparatus for tracking a present position and performing guidance along a route to a predetermined pass-through point and a destination location, feature by making it possible to select whether the guidance up to the pass-through point is necessary or not under the condition that a vehicle position has arrived at a location within a predetermined distance from the pass-through point." (requesting information on the route based on the relationship of the intermediate identifier to the route-identifier.) EP 0827 126 A2 also teaches identifying the intermediate location with an intermediate-identifier in Figs. 5 -8, col. 10 line 3 through col. 11, line 13.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to enhance Hayashi's teaching by adding EP 0827 126 A2's teachings as part of the route calculation condition such that the route is calculated through a desired intermediate location.

It would have been obvious because EP 0827 126 A2 offers the selection of intermediate location whether the guidance up to the pass-through point is necessary or not under the condition that a vehicle position has arrived at a location within a predetermined distance from the pass-through point.

**Referring to claim 14,**

Hayashi teaches the method of claim 13 wherein the information is selected from the group consisting of: traffic information, weather information, travel information and information about other objects (Abstract: "The map server receives the route identification information from the user terminal via the network, obtains the route data associated with the route identification information from the route calculation server, produces route display picture data including map picture on which the calculated route is represented, and transmits the route display picture data to the user terminal.", Fig. 3, element 36).

**Referring to claim 15,**

Hayashi teaches retrieving the route-identifier to identify the route (Abstract), Hayashi fails to specifically teach providing the intermediate-identifier; and requesting information on the intermediate location based on the relationship of the intermediate identifier to the route.

EP 0827 126 A2 also teaches identifying the intermediate location with an intermediate-identifier in Fig. 6. (providing the intermediate-identifier) EP 0827 126 A2 teaches requesting information on the intermediate location based on the relationship of the intermediate identifier to the route (col. 10, line 3-40).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to enhance Hayashi's teaching by adding EP 0827 126 A2's teachings as part of the route calculation condition such that the route is calculated through a desired intermediate location.

It would have been obvious because EP 0827 126 A2 offers the selection of intermediate location whether the guidance up to the pass-through point is necessary or not under the condition that a vehicle position has arrived at a location within a predetermined distance from the pass-through point.

**Referring to claim 16,**

Hayashi teaches the method of claim 15 wherein the information is selected from the group consisting of: traffic information, weather information, travel information and information about other objects (Abstract: "The map server receives the route identification information from the user terminal via the network, obtains the route data associated with the route identification information from the route calculation server, produces route display picture data including map picture on which the calculated route is represented, and transmits the route display picture data to the user terminal.", Fig. 3, element 36)

**Referring to claim 17,**

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Claim 17 is a claim to a computer readable medium storing a program for identifying a route in accordance with the method of claim 10. Therefore claim 17 is rejected for the reasons set forth for claim 10.

**Referring to claims 18 and 19,**

Claims 18 and 19 are claims to a computer readable medium storing a program for identifying a route in accordance with the method of claim 11. Therefore claims 18 and 19 are rejected for the reasons set forth for claim 11.

**Referring to claims 20 and 21,**

Claims 20 and 21 are claims to a computer readable medium storing a program for identifying a route in accordance with the method of claims 12 and 13. Therefore claims 20 and 21 are rejected for the reasons set forth for claims 12 and 13.

**Referring to claim 22,**

Claim 22 is a claim to a computer readable medium storing a program for identifying a route in accordance with the method of claim 15. Therefore claim 22 is rejected for the reasons set forth for claim 15.

**Referring to claim 23,**

Hayashi teaches a method of identifying a route at a communication node, comprising the steps of: receiving at the communication node a starting-identifier, wherein the starting-identifier identifies a starting location; receiving at the communication node a destination-identifier, wherein the destination-identifier identifies a destination location; defining a route-identifier, wherein the route-identifier comprises the starting-identifier and the destination-identifier; and storing the route-identifier at the communication node



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for later retrieval. (Abstract: The route calculation server receives starting point data and destination data corresponding to a starting point and a destination which a user designates by the user terminal, and calculates a route from the starting point to the destination. The map server includes a map database, and communicates with the user terminal via the network. The route calculation server stores calculated route data together with route identification information associated with the route data, and transmits the route identification information to the user terminal via the network. The map server receives the route identification information from the user terminal via the network, obtains the route data associated with the route identification information from the route calculation server, produces route display picture data including map picture on which the calculated route is represented, and transmits the route display picture data to the user terminal.)

Hayashi fails to specifically teach receiving at the communication node at least intermediate-identifier, wherein the intermediate-identifier defines an intermediate location associated with the starting location and the destination location.

. EP 0827 126 A2 teaches receiving at the communication node at least intermediate-identifier, wherein the intermediate-identifier defines an intermediate location associated with the starting location and the destination location (Figs. 5-8, col. 10, line 3-51).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to enhance Hayashi's teaching by adding EP 0827 126

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A2's teachings as part of the route calculation condition such that the route is calculated through a desired intermediate location.

It would have been obvious because EP 0827 126 A2 offers the selection of intermediate location whether the guidance up to the pass-through point is necessary or not under the condition that a vehicle position has arrived at a location within a predetermined distance from the pass-through point.

**Referring to claims 24, 25, 26, 27 and 28,**

Hayashi teaches the method of claim 23 further comprising: retrieving the route-identifier at a browser to identify the route, and the method of claim 23 further comprising: requesting information about the route wherein the information requested includes the route-identifier, and the method of claim 23 further comprising: transmitting information about the route from the communication node based on the route-identifier, and the method of claim 23 wherein the route-identifier comprises a relationship between the starting-identifier and the destination-identifier, and method of claim 27 wherein the relationship between the starting-identifier and the destination-identifier is a route between the starting location and the destination location, further comprising: retrieving the route-identifier from the communication node to identify the route; and transmitting information about the route from the communication node based on the route-identifier. (Abstract, col.11, lines 31-48).

**Referring to claims 30 and 31,**

Hayashi teaches retrieving the route-identifier from the communication node to identify the route (Abstract), however, Hayashi fails to specifically teach transmitting information

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on the route based on the relationship of the intermediate identifier to the route-identifier and transmitting information on the route based on the relationship of the intermediate identifier to the destination-identifier.

EP 0827 126 A2 teaches in col. 2, line 50-58, "present invention provides vehicle navigation apparatus for tracking a present position and performing guidance along a route to a predetermined pass-through point and a destination location, feature by making it possible to select whether the guidance up to the pass-through point is necessary or not under the condition that a vehicle position has arrived at a location within a predetermined distance from the pass-through point." (transmitting information on the route based on the relationship of the intermediate identifier to the route-identifier) EP 0827 126 A2 also teaches identifying the intermediate location with an intermediate-identifier and transmitting information on the route based on the relationship of the intermediate identifier to the destination-identifier in Figs. 5 -8, col. 10 line 3 through col. 11, line 13.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to enhance Hayashi's teaching by adding EP 0827 126 A2's teachings as part of the route calculation condition such that the route is calculated through a desired intermediate location.

It would have been obvious because EP 0827 126 A2 offers the selection of intermediate location whether the guidance up to the pass-through point is necessary or not under the condition that a vehicle position has arrived at a location within a predetermined distance from the pass-through point.

***Conclusion***

**Examiner's note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-3972. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abp  
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